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OFFICE OF PETITIONS

In re Application of
Mario A. Villena, et al.
Application No. 10/536,693
Filed: August 4, 2006
Attorney Docket No. Homexperts-693

DECISION ON PETITION

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 8, 2008, to revive the above-identified application.

The petition is **GRANTED**.

The application became abandoned for failure to reply in a timely manner to the non-final Office action mailed, September 5, 2007, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on December 6, 2007. The Notice of Abandonment was mailed April 8, 2008.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, (2) the petition fee of \$770, and (3) a proper statement of unintentional delay.

37 CFR 1.137(b)(3) requires a statement that "the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional." Since the statement appearing in the petition varies from the language required by 37 CFR 1.137(b)(3), the statement is being construed as the required statement. Petitioner must notify the Office if this is not a correct reading of the statement appearing in the petition.

Telephone inquiries concerning this decision should be directed to Terri Williams at (571) 272-2991.

This application is being referred to Technology Center AU 3689 for appropriate action by the Examiner in the normal course of business on the reply received



Chris Bottorff
Petitions Examiner
Office of Petitions



PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Mario A. VILLENA et al.

10/536,693

Application No.: ~~10/526,693~~

Group Art Unit: 3629

Examiner: D. Ruhl

Filed: September 28, 2005

Docket No.: 28024U

For: COMPUTERIZED AGENT AND SYSTEMS FOR AUTOMATIC SEARCHING OF
PROPERTIES HAVING FAVORABLE ATTRIBUTES

**PETITION UNDER 37 CFR 1.137(b) TO REVIVE AN
UNINTENTIONALLY ABANDONED APPLICATION**

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11/28/2008 CKHLOK 00000011 140112 10536693

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This is a Petition to Revive the above-captioned application under 37 CFR 1.137(b) as an unintentional abandonment.

By this Petition, Applicant respectfully submits a response to the non-final Office Action of March 18, 2005, accompanied by a check for the requisite fees.

The entire delay in providing this response was unintentional, from the mailing of the Office Action until the filing of this petition. It is respectfully submitted that no terminal disclaimer is required in this case beyond that presently submitted.

Please charge any fee deficiency, or credit any overpayment, in connection with this matter to Deposit Account No. 14-0112.

Respectfully submitted,
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April 8, 2008

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Adjustment date: 11/28/2008 CKHLOK
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